



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY (Trenton)

Caption in Compliance with D.N.J. LBR 9004-1(b)  
2019-1164

Powers Kirn, LLC  
ecf@powerskirn.com  
728 Marne Highway, Suite 200  
Moorestown, NJ 08057  
(856) 802-1000  
Attorney for Bayview Loan Servicing, LLC

In Re:

Wendy A. Labonak

Order Filed on February 5, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 19-13841-MBK

Chapter: 13

Hearing Date: 02/04/2020 at 9:00am

Judge: Honorable Michael B. Kaplan

Recommended Local Form:

Followed

Modified

## ORDER VACATING STAY

The relief set forth on the following page is hereby ORDERED.

DATED: February 5, 2020

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Upon the motion of Powers Kirn, LLC, Attorneys for Bayview Loan Servicing, LLC (“Bayview”) debtor(s)’ mortgagee, under Bankruptcy Code Section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause, it is

**ORDERED** that the automatic stay is hereby vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant’s rights in the following:

- Real property more fully described as 128 Chesterfield Crosswicks Road, Chesterfield, NJ 08515.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff’s sale (or purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

- Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, and any trustee and any other party who entered an appearance on the motion.

In re:  
Wendy A. Labonak  
Debtor

Case No. 19-13841-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Feb 06, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 08, 2020.

db +Wendy A. Labonak, 128 Chesterfield Crosswicks Road, Chesterfield, NJ 08515-9663

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 08, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 6, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Alexandra T. Garcia on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company NJECFMAIL@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
Andrew B. Finberg on behalf of Debtor Wendy A. Labonak andy@sjbankruptcylaw.com, abfecf@gmail.com;finbergar39848@notify.bestcase.com  
Denise E. Carlon on behalf of Creditor Global Lending Services, LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
Francis T. Tarlecki on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company Njecfmail@mwc-law.com, ftarlecki.kashlaw@gmail.com  
Kevin Gordon McDonald on behalf of Creditor Global Lending Services, LLC kmcDonald@kmllawgroup.com, bkgroup@kmllawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
William M. E. Powers, III on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company ecf@powerskirk.com  
William M.E. Powers on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company ecf@powerskirk.com  
William M.E. Powers, III on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company ecf@powerskirk.com

TOTAL: 11